

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Salt Lake Field Office

2370 South 2300 West

Salt Lake City, UT 84119

ph: (801) 977-4300; Fax: (801) 977-4397

www.ut.blm.gov/saltlake_fo



IN REPLY REFER TO:
2800 (UTW-011)
UTU-81130

MAR 25 2013

Certified Mail – 7007 1490 0000 0215 9018
Return Receipt Requested

DECISION

Right-of-Way UTU-81130 Relinquishment Accepted

RECEIVED
MAR 26 2013
DIV. OF OIL, GAS & MINING

Gary Mullard
Northern Stone Supply, Inc.
P. O. Box 349
Oakley ID 83346

Re: Limestone Green Landscape Rock Quarry

Dear Mr. Mullard:

Northern Stone Supply filed an application to relinquish right-of-way UTU-81130 as the quarry, milling area and access road authorized by that grant are no longer needed by Northern Stone Supply and the ROW site has been reclaimed by the holder. Based upon our inspection of the right-of-way site, it is determined that all conditions for relinquishment of the right-of-way have been met.

The subject right-of-way is hereby terminated together with the holder's rights, privileges and obligations thereunder. Notation of this right-of way will be removed from the public records.

Termination of this right-of-way constitutes a final decision by the Bureau of Land Management in this matter.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4, and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2801.10 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of

appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision, to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

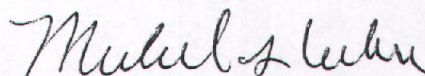
Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

Please note, however, that under the regulations in 43 CFR Group 2800, this decision is effective even if an appeal is filed.

If you have any questions, please contact Dave Watson, Realty Specialist, at the above address or call (801) 977-4368.

Sincerely,



ACTING Bradley Washa
Acting Field Manager
Salt Lake Field Office

Enclosures:

Appeals Information (Form #1842-1)

CC: Lynn Kunzler
Utah Division of Oil, Gas and Mining
1594 West No. Temple, Ste. 1210#
Box 145801
SLC, UT 84114-5801